

**APRIL 2, 2012  
PARMA CITY HALL COUNCIL CHAMBER  
REGULAR COUNCIL MEETING  
7:00 P.M.**

The Regular Council Meeting was called to order by President of Council Sean P. Brennan presiding.

COUNCIL MEMBERS PRESENT:	LARRY NAPOLI SCOTT M. TUMA BRIAN BROCHETTI MARK CASSELBERRY BRIAN DAY ALLAN DIVIS MARY GALINAS ROY J. JECH DEBORAH LIME
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Ms. Krupicka – Mr. President, the Roll of Council has been called, and I find a quorum of Council members present. The following officials and department heads were also present: Mayor Timothy DeGeeter, Chief Assistant Law Director Tim Miller, Auditor Dennis Kish, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Jeanie Roberts, Recreation Commissioner Mickey Vittardi, Senior Citizen Director Jo Ann Mason, Community Development Director Erik Tollerup, Chief of Staff Michael Culp, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky and Clerk of Council Kenneth A. Ramser.

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**INVOCATION**

The Invocation was given by Reverend Joseph R. Brankatelli from Holy Family Church.

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**PLEDGE OF ALLEGIANCE**

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**VOICE VOTE**

	RESOLUTION NO. 66-12	4/2/12	L-66-12
BY:	B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS, R. J. JECH, D. LIME, L. NAPOLI, S. TUMA		

A RESOLUTION HONORING REV. JOSEPH R. BRANKATELLI  
CITIZEN OF THE MONTH – MARCH, 2012

Motion made by Councilman Jech seconded by Councilman Day to adopt Resolution No. 66-12. Motion carried.

Councilman Brochetti presented Reverend Brankatelli with a Resolution and Mayor DeGeeter presented him with a Proclamation.

Reverend Brankatelli – Thanked everyone. This was a surprise for him.

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RESOLUTION NO. 56-12      4/2/12      L-56-12  
BY: B. DAY, B. BROCHETTI, M. CASSELBERRY, A. DIVIS, M. GALINAS,  
R. J. JECH, D. LIME, L. NAPOLI, S. TUMA

A RESOLUTION HONORING LOU GAUDIO 2011-2012  
COACH OF THE YEAR YOUTH BASKETBALL

Motion made by Councilman Jech seconded by Councilman Day to adopt Resolution No. 56-12. Motion carried.

Councilman Day presented a Resolution to Mr. Gaudio and Mayor DeGeeter presented him with a Proclamation.

Mr. Gaudio – Thanked everyone.

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**LEGISLATIVE COMMENT**

No one from the public wished to speak.

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**DISPOSAL OF JOURNAL**

Mr. Brennan – You have before you the Minutes from the Regular Council Meeting of March 19, 2012. Are there any additions or corrections to these Minutes? Hearing none, the Minutes will stand approved as printed.

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**COMMUNICATIONS, PETITIONS AND CLAIMS**

Councilman Brochetti – Stated that the Cuyahoga County Public Library has requested a Conditional Use Permit for the Parma-Snow Branch, 2111 & 2121 Snow Road. They are proposing a renovation and expansion of the existing property. Motion made by Councilman Brochetti seconded by Councilman Day to grant the Conditional Use Permit. Motion carried.

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2011 Annual Report prepared for the City of Parma by the Cuyahoga County Department of Public Works. There is a copy on file in the Council Office.

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**FIRST READING:**

RESOLUTION NO. 60-12      4/2/12      L-60-12  
BY: B. BROCHETTI  
(By Request – City Engineer)

A RESOLUTION REQUESTING CUYAHOGA COUNTY TO PROCEED WITH THE GRADING, DRAINING, PAVING AND WIDENING OF BAGLEY ROAD AND PLEASANT VALLEY ROAD FROM PEARL ROAD TO YORK ROAD RESOLVING TO PAY ONE HUNDRED PERCENT (100%) OF THE COSTS FOR THE ENGINEERING, CONSTRUCTION AND CONSTRUCTION ENGINEERING FOR THE INSTALLATION OF SANITARY SEWERS, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Resolution will be referred to the Finance Committee.

RESOLUTION NO. 61-12      4/2/12      L-61-12  
BY: B. DAY, B. BROCHETTI, M. CASSELBERRY, A. DIVIS, M. GALINAS,  
R. J. JECH, D. LIME, L. NAPOLI, S. TUMA  
(By Request – Mayor)

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING TAX LEVY IN EXCESS OF THE TEN MILL LIMITATION FOR THE PURPOSE OF PROVIDING AND MAINTAINING MOTOR VEHICLES, COMMUNICATIONS, AND OTHER EQUIPMENT USED DIRECTLY IN THE OPERATION OF THE POLICE DEPARTMENT, AND THE PAYMENT OF SALARIES OF PERMANENT POLICE PERSONNEL, INCLUDING THE PAYMENT OF THE POLICE OFFICER EMPLOYERS' CONTRIBUTION REQUIRED UNDER SECTION 742.33 OF THE OHIO REVISED CODE AND REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT RENEWAL LEVY, AND DECLARING AN EMERGENCY

Mr. Brennan - Said Resolution will be referred to the Finance Committee.

RESOLUTION NO. 62-12      4/2/12      L-62-12  
BY: B. DAY, B. BROCHETTI, M. CASSELBERRY, A. DIVIS, M. GALINAS,  
R. J. JECH, D. LIME, L. NAPOLI, S. TUMA  
(By Request – Mayor)

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING TAX LEVY IN EXCESS OF THE TEN MILL LIMITATION FOR THE PURPOSE OF PROVIDING AND MAINTAINING MOTOR VEHICLES, COMMUNICATIONS, AND OTHER EQUIPMENT USED DIRECTLY IN THE OPERATION OF THE POLICE DEPARTMENT, AND THE PAYMENT OF SALARIES OF PERMANENT POLICE PERSONNEL, INCLUDING THE PAYMENT OF THE POLICE OFFICER EMPLOYERS CONTRIBUTION REQUIRED UNDER SECTION 742.33 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Resolution will be referred to the Finance Committee.

ORDINANCE NO. 68-12      4/2/12      L-68-12  
BY: B. DAY  
(By Request – Law Director)

AN ORDINANCE TO AMEND SECTION 143.32 "LAW ENFORCEMENT TRUST FUND" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Public Safety Committee.

BY: R. J. JECH

A RESOLUTION URGING THE OHIO STATE LEGISLATURE  
TO ENACT LEGISLATION RELATING TO DRUG SCREENING  
OF POTENTIAL AND EXISTING BENEFICIARIES OF TEMPORARY  
ASSISTANCE FOR NEEDY FAMILIES, AND DECLARING AN  
EMERGENCY

Mr. Brennan – Said Resolution will be referred to the Governmental Operations  
Committee.

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**SECOND READING:**

BY: B. BROCHETTI

A RESOLUTION TO GRANT A MORAL CLAIM TO ROBERT KRENCIGLOVA  
FOR A SANITARY SEWER CONNECTION LOCATED AT 7865 LIST LANE  
IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend  
Section 2 of Ordinance No. 55-12 as follows: Section 2. That said moral claim shall be  
paid from OR REIMBURSED FROM THE CUYAHOGA COUNTY SANITARY SEWER FUND.  
Further moved to refer Resolution No. 55-12 back to the Finance Committee as  
amended. Motion carried.

BY: B. DAY  
(By Request – Safety Director)

AN ORDINANCE TO REPEAL CHAPTER 165 "BOXING AND WRESTLING  
COMMISSION" AND A PORTION OF SUBSECTION (b) "RECREATION  
DEPARTMENT" OF SECTION 185.05 "FEES OF THE DIRECTOR OF PUBLIC  
SERVICE" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA  
RELATIVE TO THE FEE FOR BOXING AND WRESTLING EXHIBITIONS,  
AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer  
Ordinance No. 58-12 back to the Finance Committee. Motion carried.

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**SECOND READING SUSPENSION:**

BY: L. NAPOLI, M. GALINAS  
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO  
AN ANNUAL AGREEMENT FOR 2012 WITH THE CUYAHOGA COUNTY

BOARD OF HEALTH FOR TASKS RELATED TO THE CITY'S NPDES  
PERMIT FOR STORM WATER MANAGEMENT, AND DECLARING  
AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct Reading of Ordinance No. 52-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime.

No: None; motion carried.

Councilwoman Galinas – Asked if this is the same cost and the contract that we previously had?

Mr. Deichmann – Stated that the services are the same as we have had over the last several years. It may be approximately \$500.00 higher this year because costs increase.

Motion made by Councilman Jech seconded by Councilman Day to adopt Ordinance No. 52-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime.

No: None; Ordinance No. 52-12 is adopted as amended.

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**THIRD READING:**

ORDINANCE NO. 285-09      12/7/09      L-285-09

BY: L. NAPOLI

(By Request – City Engineer)

AN ORDINANCE TO ENACT CHAPTER 945 "RAIN BARREL SYSTEMS"  
AND TO AMEND A PORTION OF SECTION 185.04 "FEES OF THE  
DIRECTOR OF PUBLIC SAFETY" TO INCLUDE THE FEE FOR RAIN  
BARREL SYSTEMS OF THE CODIFIED ORDINANCES OF THE CITY  
OF PARMA

Motion made by Councilman Napoli seconded by Councilman Day to accept Substitute Ordinance No. 285-09 which amends the language on the previous Ordinance No. 285-09 as stated in the substitute legislation. Further moved to refer Substitute Ordinance No. 285-09 back to the Environmental Standards Committee. Motion carried.

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ORDINANCE NO. 11-12      2/6/12      L-11-12

BY: R. J. JECH, M. GALINAS

(By Request – Recreation Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF  
PUBLIC SERVICE TO ENTER INTO A MEMORANDUM OF  
UNDERSTANDING WITH THE CITY OF SEVEN HILLS FOR SHARED  
RECREATION FACILITIES, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Day to hold Ordinance No. 11-12. Motion carried.

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**SUSPENSION OF THE RULES:**

Mr. Brennan – Shall the Statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 63-12, Ordinance No. 64-12, Resolution No. 67-12, Ordinance No. 69-12, Resolution No. 71-12 and Ordinance No. 72-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 63-12, Ordinance No. 64-12, Resolution No. 67-12, Ordinance No. 69-12, Resolution No. 71-12 and Ordinance No. 72-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime.

No: None; motion carried.

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RESOLUTION NO. 63-12      4/2/12      L-63-12

BY: R. J. JECH  
(By Request – Service Director)

A RESOLUTION AUTHORIZING THE AUDITOR TO ACCEPT THE  
DONATION OF CURRENT SICK LEAVE ACCUMULATION INTO THE  
SICK LEAVE ACCOUNT OF ROBERT EZINSKI IN ORDER TO CONTINUE  
HIS PAYROLL WHILE HE IS OFF WORK DUE TO SURGERY, AND  
DECLARING AN EMERGENCY

Councilwoman Lime – Asked if the wording is correct in the first whereas clause.

Mr. Miller – Confirmed that it is correct.

Motion made by Councilman Jech seconded by Councilman Day to adopt

Resolution No. 63-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime.

No: None; Resolution No. 63-12 is adopted.

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ORDINANCE NO. 64-12      4/2/12      L-64-12

BY: B. DAY, L. NAPOLI, S. M. TUMA, B. BROCHETTI, M. CASSELBERRY,  
A. DIVIS, M. GALINAS, R. J. JECH, D. LIME  
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY  
TO ENTER INTO A CONTRACT THROUGH THE OHIO LAW ENFORCEMENT  
SUPPORT OFFICE (OHIO LESCO) OF THE OHIO DEPARTMENT OF PUBLIC  
SAFETY FOR THE PURCHASE OF FOUR (4) 2012 CHEVROLET IMPALAS  
AND FIVE (5) 2012 CHEVROLET CAPRICES FOR THE PARMA POLICE  
DEPARTMENT, AND DECLARING AN EMERGENCY

Councilwoman Lime – Asked if the funds for the purchase is in the Budget.

Mr. Baeppler – Stated that the funds are listed in the Budget.

Motion made by Councilman Jech seconded by Councilman Day to adopt

Ordinance No. 64-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime.

No: None; Ordinance No. 64-12 is adopted.

BY: S. M. TUMA  
(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST CERTIFICATION  
OF REQUISITIONS AS DETAILED IN EXHIBIT "A" AND DECLARING AN  
EMERGENCY

Councilwoman Lime – Questioned the line items for McMahaon Degulis LLP.

Mr. Miller – Stated that their self retention amount is \$50,000 per event. There are two events that are in the lawsuit. So, their self retention amount for both of the storm events is \$100,000.

Councilwoman Lime – Asked if he knew how close they were to spending the \$100,000?

Mr. Miller – Stated that he does not have an exact amount but knows that they are over \$50,000 and under \$100,000. Stated that they have taken measures to reduce the costs with outside counsel. They do expect to reach their retention amount.

Councilwoman Lime – Asked Finance Chairman Tuma if he could request that Clerk of Court Vittardi come to a meeting to discuss the Clerk of Court costs for outpatient services, etc.

Motion made by Councilman Jech seconded by Councilman Day to adopt Resolution No. 67-12.

Yes: Napoli, Tuma, Brochetti, Day, Divis, Galinas, Jech, Lime.

Abstain: Casselberry

No: None; Resolution No. 67-12 is adopted.

BY: S. M. TUMA  
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2012 PERMANENT APPROPRIATIONS  
OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend Ordinance No. 69-12 by adding a probation fund account, Operating Supplies 164-164-61014-00000 for \$10,000.00. Motion carried.

Auditor Kish – Stated that all of the line items are contract balances that were not determined at year end. Funds are available to appropriate.

Motion made by Councilman Jech seconded by Councilman Day to adopt Ordinance No. 69-12 as amended.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime.

No: None; Ordinance No. 69-12 is adopted as amended.

RESOLUTION NO. 71-12      4/2/12      L-71-12  
BY: A. DIVIS, L. NAPOLI, S. M. TUMA, B. BROCHETTI, M. CASSELBERRY, B. DAY,  
M. GALINAS, R. J. JECH, D. LIME

A RESOLUTION DESIGNATING THE MONTH OF APRIL, 2012  
AS "AUTISM AWARENESS MONTH", AND DECLARING AN  
EMERGENCY

Councilman Napoli – Thanked Councilman Divis for sponsoring the legislation.

Councilman Divis – Stated that Autism is a very complex disability. It appears, typically in the first three years of life and the major affects are in communication and the interaction with others. In 2009, the Center for Disease Control issued a report and said that Autism is prevalent in 1 out of 110 births. More recently in 2011, now it is up to 1 out of 88. The Autism Society estimates that the life long cost for caring for a child ranges from \$3.5 to \$5 million and in the U.S. it is about \$90 billion annually. We know that Autism is treatable in early diagnosis and interaction can lead to significantly improved outcomes. So, he is proud to sponsor the Resolution.

Mr. Brennan – Stated that over years, he has had a lot of students with Autism and some of the kids that he has had in his classroom are some of the best students he has ever had.

Motion made by Councilman Jech seconded by Councilman Day to adopt Resolution No. 71-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime.

No: None; Resolution No. 71-12 is adopted.

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ORDINANCE NO. 72-12      4/2/12      L-72-12  
BY: B. DAY

AN ORDINANCE TO EXTEND THE MORATORIUM FOR AN  
ADDITIONAL ONE HUNDRED EIGHTY (180) DAYS ON THE  
GRANTING OF ANY PERMITS ALLOWING THE OPERATION  
OF INTERNET CAFES OR OF BUSINESSES DEVOTING  
FLOOR SPACE TO INTERNET-BASED SWEEPSTAKES GAMES  
WITHIN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt Ordinance No. 72-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime.

No: None; Ordinance No. 72-12 is adopted.

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**APPOINTMENTS AND CONFIRMATIONS**

Councilman Casselberry – Stated that the Appointment Scanning Committee met this evening to consider the request to appoint the following to the Parma Community General Hospital Board: Jack C. Krise, Jr. and Alexander Koler. Mr. Krise and Mr. Koler's terms are set to expire on May 31, 2012. The new appointments will be for 3 years.

Motion made by Councilman Casselberry seconded by Councilman Day to confirm the reappointments of Mr. Krise and Mr. Koler as recommended by Mayor DeGeeter and the Appointment Scanning Committee of Council. Motion carried.

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### **PUBLIC SESSION**

Mr. Ehlert, 7923 Liberty Avenue - Commented on texting during a Council Meeting.

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### **MISCELLANEOUS BUSINESS**

Mayor DeGeeter – Thanked Council for the reappointment of Mr. Krise and Mr. Koler to the Hospital Board. Commented on Ridgewood Golf Course and the new T-Ball Program.

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Safety Director Baeppler – No comment.

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Service Director Higgins – No comment.

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Auditor Kish – Wished everyone a Happy Easter.

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Chief Assistant Law Director Miller – No comment.

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Treasurer Mastroianni – Wished everyone a Happy Easter.

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Councilman Napoli – Wished everyone a Happy Easter. Complimented the three new Council Members.

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Councilman Tuma – Thanked Councilman Divis for his Resolution recognizing Autism Month. Asked the Safety Director if someone from the Safety Forces could come in to discuss the proposed renewal of the Police Levy. Wished everyone a Happy Easter.

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Councilman Brochetti – Thanked Council for their kind words. Commended Councilman Divis on the Resolution regarding Autism Month. Wished everyone a Happy Easter.

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Councilman Casselberry – Thanked Council for their kind words. Wished everyone a Happy Easter.

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Councilman Day – Wished everyone a Happy Easter.

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Councilman Divis – Thanked Council for their kind words. Wished everyone a Happy Easter.

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Councilwoman Galinas – Wished everyone a Happy Easter.

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Councilman Jech – Commented on the Resolution relating to drug screening of potential and existing beneficiaries of temporary assistance. Wished everyone a Happy Easter.

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Councilwoman Lime – Thanked the Police Department for their help with a house in her ward that was full of marijuana plants. Wished everyone a Happy Easter.

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Mr. Brennan – Thanked the Mayor joining him for their first annual Easter Egg Hunt that was held on Saturday, March 30<sup>th</sup>. Thanked First Federal of Lakewood for sponsoring the event. Wished everyone a Happy Easter.

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**ADJOURNMENT**

Motion made by Councilman Jech seconded by Councilman Day to adjourn the Regular Council meeting at 7:52 P.M. Motion carried.

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**CERTIFICATION**

I, Kenneth A. Ramser, Clerk of Council of the City of Parma, Ohio, do hereby certify this to be a certified copy of the Minutes from the Regular Council Meeting held on Monday, April 2, 2012.

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KENNETH A. RAMSER  
CLERK OF COUNCIL

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SEAN P. BRENNAN  
PRESIDENT OF COUNCIL

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